

LAW OFFICES
NIKOLAI &
MERSEREAU, P.A.

INTERNATIONAL CENTRE
900 SECOND AVENUE SOUTH, SUITE 820
MINNEAPOLIS, MINNESOTA 55402-3813

TELEPHONE 612 339-7461
FACSIMILE 612 349-6556

14 October 2004

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

Attorney's Docket No. 20040873.ORI

International Application No.: PCT/GB03/01625

International Filing Date: 15 April 2003

Priority Date Claimed: 19 April 2002

Title of Invention: METHODS OF TREATMENT AND DIAGNOSIS OF
PATIENTS WITH HEPATITIS C INFECTION

Applicant(s) for DO/EO/US: HILL, Adrian
THURSZ, Mark
KNAPP, Susanne

MAIL STOP PCT
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

Dear Sir:

Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. X This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date (in German).

DT05 Rec'd PCT/PTO 14 OCT 2004

MAIL STOP PCT
14 October 2004
Page Two

5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau.)
- b. ☒ has been transmitted by the Int'l Bureau.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ have been transmitted by the Int'l Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11-16 below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.

MAIL STOP PCT
14 October 2004
Page Three

16. X Other items or information: a Transmittal Letter to the United States Designated/Elected Office; a copy of the published PCT; Preliminary Amendment; an unexecuted Declaration; Notice Informing the Applicant of the Communication of the International Application to the Designated Offices, Return Receipt Postcard; PCT Request; International Search Report; Request for Filing a Continuation of an International Application; a Multiple Dependent Claim Fee Calculation Sheet; a Written Opinion; Notification of Transmittal of the International Preliminary Examination Report; a copy of the Sequence Listing in computer readable disc and a paper copy of the Sequence Listing printed from the computer readable disc.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau
Attorney for Applicant
Registration No. 26,205
900 Second Avenue South
Suite 820, International Centre
Minneapolis, MN 55402
Telephone: 612-339-7461

REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

DOCKET NUMBER	ANTICIPATION CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
20040873.ORI	CLASS	SUBCLASS		

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR 1.53(b) of pending prior international application Number PCT PCT/GB03/01625 filed on 15 April 2003 entitled METHODS OF TREATMENT AND DIAGNOSIS OF PATIENTS WITH HEPATITIS C INFECTION which designated the United States.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	28 - 20 =	8	x \$ 18 =	\$ 144.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	8 - 3 =	5	x \$ 88 =	440.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$ =	
				BASIC FEE (37 CFR 1.16(a))	790.00
				Total of above Calculations =	1374.00
				Reduction by 50% for filing small entity (Note 37 CFR 1.27)	
				Total =	1374.00

- ☒ Enclosed are the specification, claims and drawing(s).
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ The Director is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment of Deposit Account No. 08-1265. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$ 1374.00 is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ Application Data Sheet is enclosed. See 37 CFR 1.76.
- ☒ If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:
☒ Continuation ☐ Divisional of prior PCT application No.: PCT/GB03/01625, filed 15/04/03

[Page 1 of 2]

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR FILING A CONTINUING APPLICATION OF AN INTERNATIONAL APPLICATION

7. ☒ A declaration under CFR 1.63 is enclosed.
8. ☒ Priority of foreign application number 0208928.2, filed on 19/04/02
in GB is claimed under 35 U.S.C. 119(a)-(d).
☐ The certified copy is enclosed.
9. ☒ A preliminary amendment is enclosed.
10. ☒ Also enclosed: Refer to Transmittal Letter for complete listing of enclosures

Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record).

C. G. Mersereau, NIKOLAI & MERSEREAU, P.A., 900 - 2nd Avenue South
Suite 820, International Centre, Minneapolis, MN 55402

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

C. G. Mersereau
Signature

14 October 2004
Date

C. G. Mersereau
Typed or printed name

26,205
Registration Number, if applicable
612-339-7461
Telephone Number

- ☐ Inventor(s)/Applicant(s)
- ☐ Assignee of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or agent of record
- ☐ Filed under 37 CFR 1.34
Registration number if acting under 37 CFR 1.34 _____

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

10/511415

DT05 Rec'd PCT/PTQ 14 OCT 2004

Express Mail No. EV612985374US

PATENT APPLICATION

Docket No. 20040873.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Adrian Hill et al : 14 October 2004

For : METHODS OF TREATMENT AND DIAGNOSIS OF
PATIENTS WITH HEPATITIS C INFECTION

CERTIFICATE OF MAILING VIA EXPRESS MAIL

Mail Stop PCT
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, a Request for Filing a Continuation or Division of an International Application, a copy of the published patent application, a copy of the Sequence Listing in computer readable form and a printed copy of the Sequence Listing, a copy of the PCT Request, Preliminary Amendment, a copy of the Notice Informing the Applicant of the Communication of the International Application to the Designated Offices, Notification of Transmittal of the International Search Report or the Declaration, the International Search Report, Written Opinion, an unexecuted Declaration, Power of Attorney and Petition, a Multiple Dependent Claim Fee Calculation Sheet, Patent Application Data Entry Format, Notification of Transmittal of the International Preliminary Examination Report, International Preliminary Examination Report, a check in the amount of \$1374.00 to cover the filing fees and a return receipt postcard, all in connection with the above-identified patent application are being deposited with the United States Postal Service "Express Mail Post Office to Addressee"

service under 37 CFR 1.10 on the date indicated above and are addressed to: Mail Stop PCT, Commissioner for Patents, Alexandria, VA 22313-1450, under Express Mail Post Office to Addressee Label No. EV612985374US.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

A handwritten signature in cursive script that reads "Barbara L. Davis".

Barbara L. Davis
On Behalf of C. G. Mersereau
Attorney for Applicant
900 Second Avenue South, #820
Minneapolis, MN 55402
(612) 339-7461